

Senate Study Bill 1205

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON RAGAN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to runaway assessment centers.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2090XC 83
4 jp/rj/8

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1 1 Section 1. Section 232.2, subsection 6A, Code 2009, is
1 2 amended by striking the subsection.
1 3 Sec. 2. Section 232.2, Code 2009, is amended by adding the
1 4 following new subsection:
1 5 NEW SUBSECTION. 47A. "Runaway child" means the same as
1 6 defined in section 710.8.
1 7 Sec. 3. Section 232.19, subsection 1, paragraph c, Code
1 8 2009, is amended to read as follows:
1 9 c. By a peace officer, when the peace officer has
1 10 reasonable grounds to believe the child has run away from the
1 11 child's parents, guardian, or custodian, for the purposes of
1 12 determining whether the child shall be reunited with the
1 13 child's parents, guardian, or custodian, placed in shelter
1 14 care, or, if ~~the child is a chronic runaway and~~ the county has
1 15 an approved county runaway treatment plan, placed in a runaway
1 16 assessment center under section 232.196.
1 17 Sec. 4. Section 232.195, Code 2009, is amended to read as
1 18 follows:
1 19 232.195 RUNAWAY TREATMENT PLAN.
1 20 A county may develop a runaway treatment plan to address
1 21 problems with ~~chronic~~ runaway children in the county. The
1 22 plan shall identify the problems with ~~chronic~~ runaway children
1 23 in the county and specific solutions to be implemented by the
1 24 county, including the development of a runaway assessment
1 25 center.
1 26 Sec. 5. Section 232.196, Code 2009, is amended to read as
1 27 follows:
1 28 232.196 RUNAWAY ASSESSMENT CENTER.
1 29 1. As part of a county runaway treatment plan under
1 30 section 232.195, a county may establish a runaway assessment
1 31 center or other plan. The center or other plan, if
1 32 established, shall provide services to assess a child who is
1 33 referred to the center or plan for being a ~~chronic~~ runaway
1 34 child and intensive family counseling services designed to
1 35 address any problem causing the child to run away. A center
2 1 shall at least meet the requirements established for providing
2 2 child foster care under chapter 237.
2 3 2. a. ~~If not sent home with the child's parent, guardian,~~
2 4 ~~or custodian, a chronic A child who is a runaway child may~~
2 5 ~~either be voluntarily admitted to or may be placed in a~~
2 6 runaway assessment center by the peace officer who takes the
2 7 child into custody under section 232.19, if the officer
2 8 believes it to be in the child's best interest after
2 9 consulting with the child and the child's parent, guardian, or
2 10 custodian. A ~~chronic~~ runaway child shall not be placed in a
2 11 runaway assessment center for more than forty-eight hours
2 12 without a court order or without the consent of the child and
2 13 the child's parent, guardian, or custodian.
2 14 b. If a runaway child is placed in an assessment center
2 15 according to a county plan, the runaway child shall be
2 16 assessed within twenty-four hours of being placed in the
2 17 center by a center counselor to determine both of the
2 18 following:
2 19 (1) The reasons why the child is a runaway.

2 20 (2) Whether the initiation or continuation of child in
2 21 need of assistance or family in need of assistance proceedings
2 22 is appropriate.
2 23 c. As soon as practicable following the assessment, the
2 24 child and the child's parents, guardian, or custodian shall be
2 25 provided the opportunity for a counseling session to identify
2 26 the underlying causes of the runaway behavior and develop a
2 27 plan to address those causes.

2 28 d. A runaway child shall be released from a runaway
2 29 assessment center, established pursuant to the county plan, to
2 30 the child's parents, guardian, or custodian not later than
2 31 ~~forty-eight~~ ninety-six hours after being placed in the center
2 32 unless the child is placed in shelter care under section
2 33 232.21 or an order is entered under section 232.78. A runaway
2 34 child whose parents, guardian, or custodian failed to attend
2 35 counseling at the center or fail to take custody of the child
3 1 at the end of placement in the center may be the subject of a
3 2 child in need of assistance petition or such other order as
3 3 the juvenile court finds to be in the child's best interest.

3 4 EXPLANATION

3 5 This bill relates to runaway assessment centers. A center
3 6 may be implemented under current law by a county as part of
3 7 the county's runaway treatment plan under Code sections
3 8 232.195 and 232.196.

3 9 Under current law, a center is targeted to children who are
3 10 a "chronic runaway", defined as a child who is reported to law
3 11 enforcement as a runaway more than once in any 30-day period
3 12 or three or more times in any year. The bill broadens the
3 13 scope for a center to any "runaway child", defined using the
3 14 definition in Code section 710.8, to mean a person under 18
3 15 years of age who is voluntarily absent from the person's home
3 16 without the consent of the person's parent, guardian, or
3 17 custodian.

3 18 Code section 232.19, outlining when a peace officer may
3 19 take custody of a child, is amended to allow any runaway child
3 20 to be placed in a runaway assessment center, when one is
3 21 available, instead of only a chronic runaway.

3 22 Code sections 232.195 and 232.196 are amended to remove
3 23 references to chronic runaways in those sections. In
3 24 addition, the bill authorizes the voluntary admission of a
3 25 child to a runaway assessment center and allows a child to be
3 26 placed for more than 48 hours by court-order or with the
3 27 consent of the child's parent, guardian, or custodian. The
3 28 current restriction requiring release of a child from a center
3 29 to the child's parent, guardian, or custodian after 48 hours
3 30 is increased to 96 hours. After that, placement alternatives
3 31 under current law include court-ordered shelter care placement
3 32 or an ex parte order for removal of the child until another
3 33 hearing can be held.

3 34 LSB 2090XC 83

3 35 jp/rj/8